

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-188-RJC
(3:04-cr-194-RJC-1)**

VAN ANTHONY ROSE,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

THIS MATTER is before the Court on a motion of the United States, (Doc. No. 5), to hold this action in abeyance until the Second Circuit Court of Appeals issues its decision in United States v. Jones, Case No. 15-1518, and until the Office of the Solicitor General of the United States makes a decision about whether to seek further review of the Fourth Circuit Court of Appeals decision in United States v. Gardner, No. 14-4533, 2016 WL 2893881 (4th Cir. May 18, 2016).

The Motion to Stay, (Doc. No. 5), is **GRANTED** to the extent that this matter shall be stayed for sixty days. Before the expiration of the sixty days, the United States may seek an extension of the stay if the United States determines that such extension is warranted.



Robert J. Conrad, Jr.
United States District Judge

